

No. 11(112)3Lab-79/1821.—In pursuance of the provision of section 17 of the Industrial Dispute Act, 1947 (Act, No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s Berrysons (India), Private Limited, 14th Mathura Road, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD.

Reference No. 200 of 1978

between

THE WORKMEN AND THE MANAGEMENT OF M/S BERRYSONS (INDIA), PRIVATE LIMITED, 14TH MATHURA ROAD, FARIDABAD.

Present :—

Shri P. K. De, for the workmen.

Shri S. L. Gupta, for the management.

AWARD

By order No. ID/FD/68-78/31180, dated 6th July, 1978, the Governor of Haryana, referred the following dispute between the management of M/s. Berrysons (India) Private Limited, 14th, Mathura Road, Faridabad and its workmen, to this Tribunal, for adjudication, in exercise of the powers, conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the workmen whose names are shown in annexure "A" are absenting from duty or their services have been terminated by the management ? If the services of the workmen have been terminated by the management then to what relief are they entitled to ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared. This dispute involves 78 workmen. The representative for the management stated that he can reinstate all these workmen provided they report for duty and do not claim back wages. The representative for the workmen agreed. On the next date of hearing the representative for the parties stated that the management had reinstated 56 workmen. The representative for the workmen stated that 5 or 6 workmen had to be reinstated in addition to the already reinstated workmen. On the next date fixed for hearing it was stated that the management had reinstated all the workmen except one Shri Hans Raj. The representative for the management agreed to reinstate Shri Hans Raj but he stated that he shall not reinstate any other workmen after that day and shall reinstate Shri Hans Raj Yadav. Both the parties agreed. I, therefore, give my award that all the workmen have been reinstated by the management without back wages and the workmen shall not claim back wages. Moreover, if any workman has remained un-reinstated by the management by 1st January, 1979, the management shall not reinstate him. The reinstated workmen shall not claim back wages.

Dated the 5th February, 1979.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal,
Haryana, Faridabad.

No. 126, dated the 6th February, 1979.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal,
Haryana, Faridabad.

ANNEXURE "A"

Serial No.	Name	Serial No.	Name
1	Shri Ramu Goel	4	Shri Ram Fehar
2	Shri Inder Deo	5	Shri Chander Dev
3	Shri Kedar Nath	6	Shri Raghu Nath

Serial No.	Name	Serial No.	Name
7	Shri Mohd Nameed	43	Shri Satrohan Lal
8	Shri Shvi Nath	44	Shri Vikram Prasad-II
9	Shri Ram Bricksh	45	Shri Daya Ram
10	Shri Pardeshi	46	Shri Amir Hanjan Ansari
11	Shri Dina Nath Parsad	47	Shri Sada
12	Shri Brij Dev Parsad	48	Shri Mata Fehar
13	Shri Ram Kair Prasad	49	Shri Shiv Lal
14	Shri Paras Prasad	50	Shri Ram Lal
15	Shri Sudarshan Raj	51	Shri Dev Chand
16	Shri Dudh Nath Prasad	52	Shri Nizamuddin
17	Shri Jagdish Prasad	53	Shri Alain Geer
18	Shri Arjun Prasad	54	Shri Sahib Hussain-I
19	Shri Gulab Chand-I	55	Shri Ram Sumer
20	Shri Shati Ram	56	Shri Ram Raksha Parsad
21	Shri Vikrama Pandey	57	Shri Pre Chand Prasad
22	Shri Shavinder Singh	58	Shri Ram Saran
23	Shri Genda Lal	59	Shri Shree Nath
24	Shri Ajdhya Prasad	60	Shri Harish Chander
25	Shri Sita Ram Rai	61	Shri Kapal Dev
26	Shri Kidar Nath-II	62	Shri Prithi Pal Singh
27	Shri Kulbaran Singh	63	Shri Munshi Ram
28	Shri Rajinder Singh	64	Shri Ram Sarup Parsad
29	Shri Naresh	65	Shri Sia Ram Yadav
30	Shri Shiv Narain	66	Shri Matelu Parsad
31	Shri Hans Nath Yadav	67	Shri Bhopal Singh
32	Shri Masum Ali	68	Shri Sarfuddin
33	Shri Lal Chand	69	Shri Birampal Singh Rohela
34	Shri Manohar Lal	70	Shri Ram Swaroop
35	Shri Chhetumehtu	71	Shri Hawaldar Mishra
36	Shri Ram Lal	72	Shri Mewa Lal
37	Shri Geea Lal	73	Shri Dukhanti Gupta
38	Shri Shiv Rattan	74	Shri Ashoka Kumar Sharma
39	Shri Shiv Shankar	75	Shri Ganga Ram
40	Shri Jag Lal	76	Shri Gur Charan Lal
41	Shri Badlu Ram	77	Shri Jagan Nath
42	Shri Ram Narain	78	Shri Dukhi Ram

No. 11(112)-3Lab-78/1822.—In pursuance of the provision of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s. Chopra Enterprises, Sector 27, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 148 of 1978

between

SHRI RAMPAL SINGH, WORKMAN AND THE MANAGEMENT OF M/S CHOPRA ENTERPRISES
SECTOR 27, FARIDABAD

Present :—

Shri P. K. De, for the workman.

Nemo, for the management.

AWARD

By order No. ID/FD/44-N-78/25887, dated 14th June, 1978, the Governor of Haryana referred the following dispute between the management of M/s Chopra Enterprises, Sector 27, Faridabad and its workman Shri Rampal Singh, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Rampal Singh was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The workman appeared through his representative, but the management did not appear and the management was ordered to be proceeded against *ex parte*. The case was fixed for *ex parte* evidence of the workman. The workman stated that he was working as a Supervisor, getting Rs 490 as wages. His work was satisfactory. He was victimised for trade union activities. He was laid off on 1st December, 1977. Lay off was lifted on 2nd December, 1977 and thereafter the management did not give him work. The management did not appear even in conciliation proceedings and he was unemployed. I believe in the *ex parte* statement of the workman. I give my award that the termination of services of the workman concerned Shri Rampal Singh was neither justified, nor in order. He is entitled to reinstatement with continuity of service and full back wages. I set aside the termination of his services.

NATHU RAM SHARMA,

Dated the 5th February, 1979.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 127, dated 6th February, 1979

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)-3Lab-79/1825.—In pursuance of the provision of section 17 of Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the Management of M/s Faridabad Powerloom Owners Association, NIT, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference Nos. 349 and 350 of 1978

between

S/SHRI SANGHI RAM AND NAND LAL, WORKMEN AND THE MANAGEMENT OF M/S. FARIDABAD POWERLOOM OWNERS ASSOCIATION, NIT, FARIDABAD

Present:

Shri P. K. De for the workmen.

Shri R. C. Sharma for the management.

AWARD

By order No. ID/FD/11/115-78/38100, dated 17th August, 1978 and No. ID/FD/11/113-78/38106, dated 17th August, 1978, the Governor of Haryana referred the following dispute between the management of M/s. Faridabad Towerloom Owners Association, NIT, Faridabad and its workmen S/Shri Sanghi Ram and Nand Lal, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Sanghi Ram and Nand Lal was justified and in order? If not, to what relief are they entitled?

On receipt of the order of references, notices were issued to the parties. The representative for the workmen appeared but the management did not appear despite service of notice. Therefore, the management was proceeded against *ex parte*. Thereafter the management made an application for setting aside the *ex parte* proceedings, but the representative for the workmen stated that he had no instructions from the workmen. In these circumstances both these cases were dismissed in default. I, therefore, give my award that the termination of services of Shri Sanghi Ram in reference No. 349 of 1978 and of Shri Nand Lal in reference No. 350 of 1978 is justified and in order. Both the workmen are not entitled to any relief.

The 5th February, 1979.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 130, dated 6th February, 1979

Forward (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)-3Lab-79/1826.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s. Dimple Wears (P) Ltd., 15/7, Mathura Road, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference No. 166 of 1978

between

SHRI RAM BARAN WORKMAN AND THE MANAGEMENT OF M/S. DIMPLE WEARS (P) LTD., 15/7, MATHURA ROAD, FARIDABAD

Present:

Shri Adarsh Kishore for the workman.

Nemo for the management.

AWARD

By order No. ID/FD/37-N-78/29469, dated 26th June, 1978 the Governor of Haryana, referred the following dispute between the management of M/s. Dimple Wears (P) Ltd., 15/7, Mathura Road, Faridabad and its workman Shri Ram Baran, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Ram Baran was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The parties appeared but the management did not appear on 6th November, 1978. Therefore, the management was proceeded against *ex parte* and the case was fixed for *ex parte* evidence of the workman. Thereafter the representative for the management appeared and moved an application for setting aside the *ex parte* proceedings which was fixed for filing reply by the workman. Even thereafter the management did not appear on three adjourned dates. The workman examined himself as his own witness. He stated that he was employed as a Chowkidar on wages Rs. 200 p. m. and the management terminated his services without any chargesheet or without any fault of his own on 24th July, 1976 and that the workman was unemployed since then.

I, believe in the *ex parte* statement of the workman. I give my award that the termination of services of the workman Shri Ram Baran, was neither justified nor in order. He is entitled to reinstatement with continuity of service and with full back wages.

Dated 6th February, 1979.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 131, dated 6th February, 1979

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11 (112)- 3Lab-79/1828.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s. Nibro Limited, Delhi Road, Gurgaon.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

References No. 201 and 209 of 1977

between

SHRI UMA SHANKAR AND ASHOK KUMAR WORKMEN AND THE MANAGEMENT OF
M/S NIBRO LIMITED, DELHI ROAD, GURGAON

Present :

Shri Shardha Nand for the workman.

Shri M. P. Gupta for the management.

AWARD

By order No. ID/GG/294-77/47711, dated 8th November, 1977 and No. ID/GG/292-77/49108, dated 22nd November, 1977, the Governor of Haryana, referred the following dispute between the management of M/s. Nibro Limited, to Delhi Road, Gurgaon and its workmen Shri Uma Shankar and Ashok Kumar, to this Tribunal, for adjudication, in exercise of powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Sarvshri Uma Shankar and Ashok Kumar was justified and in order? If not, no what relief are they entitled?

On receipt of the order of references, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, the following issues were framed in both the references on 20th January, 1978 :—

1. Whether the workmen raised the demand with the management properly? If not, to what effect?
2. Whether the termination of the services of the workmen concerned was justified and in order? If not, to what relief are they entitled?

And the case was fixed for the evidence of the workmen. The workmen obtained several adjournment for adducing their evidence but adduced nill and on the last date of hearing neither the workmen appeared nor their representative. Thus the conduct of the workmen or their representative rendered the case liable to dismissal in default of non-appearance and non-prosecution.

In these circumstances, I think that the both of the workmen are not interested in pursuing their disputes. I, therefore give my award that the termination of services of Shri Uma Shankar in reference No. 201 of 1977 and termination of services of Shri Ashok Kumar in reference No. 209 of 1977 was justified and in order. They are not entitled to any relief.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 133, dated the 6th February, 1979

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.